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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,441	02/27/2006	Martin Roter	915-006.88	1416

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EXAMINER

DOAN, PHUOC HUU

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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09/08/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/540,441

Applicant(s)

ROTER ET AL.

Examiner

PHUOC DOAN

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 is/are allowed.
- 6) ☒ Claim(s) 18-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/200)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 17-31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littig (US Patent No: 5,524,276) in view of Deshpande (US Pub No: 2002/0099772).

As to claim 18, 31, Littig discloses a method comprising: storing individual information acquired from first communication device in second communication device so that the individual information from the first communication device is directly accessible by the second communication device when the first and the second communication devices are connected to each other by a data link a very first time (col. 4, lines 39-67 “where

contain in its memory the ESN as a information set transferred directly”), or comparing the individual information from the first communication device stored in the second communication device with the individual information in the first communication device when the first communication device is connected again to the second communication device (col. 4, lines 39-67, col. 5, lines 1-15 “information comparing set transferred directly between first and second device”). However, Littig does not explicitly disclose storing only changes of the individual information of the first communication device in the second communication device. But, Deshpande clearly discloses storing only changes of the individual information of the first communication device in the second communication device (see Fig. 2, 3, par [0016, 0020, 0029-0031] “providing stored the change or updated the new information only between two devices such as mobile phone or PDA based on the information compare”). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Deshpande to Littig in order to save or an exchange is necessary or appropriate of the information.

As to claim 19, 20, 21, 22, Deshpande further discloses wherein an access to the individual information from the first communication device

stored in the device memory is prevented when the first apparatus and the devices are disconnected (par [0016, 0020, 0035, 0038-0039] “where server saved the information that allowed the server without requiring nay direct connection with the server”).

As to claim 23, Deshpande further discloses configured at least two logical communication devices in the communication device, assign the communication device to One of the at least two logical communication devices (par [0038-0029], and store individual information related to the communication device assigned to the one of the at least two logical communication devices to enable a personalized multi-user usage of the communication device (par [0020-0021, 0029]).

As to claim 24, Littig further discloses connect a first communication device to the second communication device assigned to one of the logical communication devices therein via a data link for information transfer, transfer individual information of the first communication device to the second communication device as individual information related to the latter one (col. 4, lines 39-67, col. 5, lines 1-15 “information comparing set transferred directly between first and second device”), and store the transferred individual information from the first communication device in

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the second information device for being used therein together with the assigned logical communication device (col. 4, lines 39-67, col. 5, lines 1-15).

As to claim 25, claim is rejected for the same reasons as set forth in claim 17.

As to claim 26, 28, Deshpande further discloses in par [0016-0018] “providing physical interface such USB, cable and is required user input”.

As to claim 27, Deshpande further discloses in par [0028-0029] “direct connection or link between mobile device and server without required telecommunication network”.

As to claim 29, claim is rejected for the same reasons as set forth in claim 17.

As to claim 30, claim is rejected for the same reasons as set forth in claim 17.

Allowable Subject Matter

2. Claim 17 is allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC DOAN whose telephone number is (571) 272-7920. The examiner can normally be reached on Mon-Tue, Thu-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUOC DOAN/
Examiner, Art Unit 2617